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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,741	04/09/2004	Werner Stuffle	SCH-00086	2454
7590 08/17/2005 Warn, Burgess & Hoffmann, P.C. P.O. Box 70098 Rochester Hills, MI 48307			EXAMINER CARTER, WILLIAM JOSEPH	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,741

Applicant(s)

STUFFLE ET AL.

Examiner

William J. Carter

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION***Information Disclosure Statement***

The information disclosure statement filed April 9, 2004 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. A concise explanation of the relevance of DE 94 02 236 U1 has been included in the specification and has been considered. The application lacks a concise explanation for JP 2002096691, FR 2 781 971, and DE 201 12 892 U1, and accordingly they have been placed in the application file, but the information referred to therein has not been considered.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

This is not a National Stage application. This application only requests priority of German Patent Application No. DE 103 16 678.5. A proper reference to the prior application should be inserted to replace the first sentence(s) of the specification of this

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application if the applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e) or 120.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 6, and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kolpasky (6,545,418).

As for claim 1, Kolpasky shows a speaker unit for use in a motor vehicle, comprising: at least one speaker (12) having a chassis; and at least one light source (27), said at least one light source being installed in the chassis of a speaker.

As for claim 4, Kolpasky shows the speaker unit further comprising a single electrical intersection (33) with the vehicle circuit.

As for claim 6, Kolpasky shows the speaker unit wherein the light source (27) is arranged perpendicular to the axis of a speaker (12).

As for claim 8, Kolpasky shows the speaker unit wherein at least one light source is a light-emitting diode (27).

As for claim 9, Kolpasky shows the speaker unit further comprising a light transmissive material (21, 23, 25) adjacent to the light emitting diode for allowing light to be dispersed into the interior of a vehicle.

As for claim 10, Kolpasky shows the speaker unit wherein the light-emitting diode and transmissive material form one component (Fig. 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolpasky in view of Chun-Ying (5,964,519).

With respect to claim 2, Kolpasky teaches all of the claimed elements, as disclosed above, except for the light source being screwed into the chassis. Chun-Ying, drawn to a light and speaker assembly, teaches the use of a light (5) that is screwably secured in a light holder (Column 2, lines 45-46). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the teaching of a screwably secured light of Chun-Ying to attach the lights to the speaker of Kolpasky, in order to achieve a simple and secure attachment of the light to the chassis.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolpasky in view of Quinones (6,283,414).

With respect to claim 3, Kolpasky teaches all of the claimed elements, as disclosed above, except for the light source being soldered into the chassis. Quinones, drawn to attaching lights, teaches the use of soldering to attach small lights (column 8, lines 17-20). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the teaching of soldering to attach small lights of Quinones to attach the lights to the speaker of Kolpasky, in order to achieve a simple and secure attachment of the light to the chassis.

Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolpasky in view of Barnes (6,158,869).

With respect to claim 5, Kolpasky teaches all of the claimed elements, as disclosed above, except for the light source being arranged parallel to the axis of a speaker. Barnes, drawn to light attachment to speakers, teaches light-emitting diodes arranged in any two or three-dimensional configuration (column 4, lines 58-60). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the arrangements of Barnes in the speaker unit of Kolpasky, in order to achieve the best possible lighting on the intended surface (Abstract).

As for claim 7, Kolpasky teaches all of the claimed elements, as disclosed above, except for at least one light source being followed by a dispersion disk. Barnes, drawn to light attachment to speakers, shows a light source (18) followed by a dispersion disk (48). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the teaching of a light source followed by a dispersion disk of Barnes in

the speaker unit of Kolpasky, in order to create a maximum dispersion of the light generated by the light-emitting diode (column 4, lines 18-21).

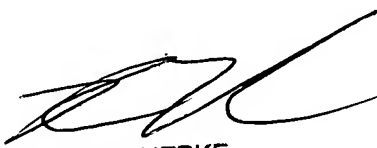
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee S. Luebke can be reached on (571)272-2009. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wjc
08/09/05



RENEE LUEBKE
PRIMARY EXAMINER